

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>BIEL LOAN CO., III-A, L.L.C.</b>	§	<b>PLAINTIFF</b>
	§	
<b>v.</b>	§	<b>Civil Action No. 1:10cv153HSO-JMR</b>
	§	
<b>LEE FREYER KENNEDY CRESTVIEW, LLC, LEE F. KENNEDY ALABAMA, LLC, FACTORY HILL, L.L.C. and LEE FREYER KENNEDY</b>	§ § § § §	<b>DEFENDANTS</b>

**ORDER GRANTING PLAINTIFF’S MOTION TO DISMISS WITHOUT PREJUDICE**

BEFORE THE COURT is the Motion [27] of Plaintiff Biel Loan Co. III-A, L.L.C, to Dismiss Without Prejudice, pursuant to FED. R. CIV. P. 41(a)(2), filed in the above captioned cause on or about April 11, 2011. Defendants Lee Freyer Kennedy Crestview, LLC, Lee F. Kennedy Alabama, LLC, Factory Hill, LLC, and Lee Freyer Kennedy have not opposed this Motion. After consideration of the Motion and the record in this case, the Court finds that the Motion should be granted.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that, the Motion [27] of Plaintiff Biel Loan Co. III-A, L.L.C, to Dismiss Without Prejudice, filed in the above captioned cause on or about April 11, 2011, should be and hereby is **GRANTED**. Plaintiff’s claims against Defendants Lee Freyer Kennedy Crestview, LLC, Lee F. Kennedy Alabama, LLC, Factory Hill, LLC, and Lee Freyer Kennedy, are dismissed, without prejudice.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that, this civil action is

dismissed without prejudice, and all pending Motions are hereby **DENIED AS MOOT.**

**SO ORDERED AND ADJUDGED**, this the 10<sup>th</sup> day of May, 2011.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE